

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF DIRECTORS OF THE
CARPINTERIA VALLEY WATER DISTRICT**

November 3, 2010

President Lemere called the regular meeting of the Board of Directors of Carpinteria Valley Water District to order in the District Board Room at 4:00 p.m. Wednesday, November 3, 2010, and led the Board and others present in the Pledge of Allegiance.

Directors Present: Lemere, Lieberknecht, Van Wingerden, Drain, Roberts
Directors Absent: None
Others Present: Charles Hamilton
Robert McDonald
Norma Rosales
Roger Myers

MINUTES

Following discussion, Director Van Wingerden moved and Director Drain seconded the motion to approve the minutes of the October 20, 2010 Board meeting, with one correction. The motion carried by a 5-0 vote.

MINUTES

Following discussion, Director Drain moved and Director Van Wingerden seconded the motion to approve the minutes of the October 21, 2010 Board meeting. The motion carried by a 4-0-1 vote. Director Roberts abstained.

PUBLIC FORUM

No one from the public addressed the Board.

DIRECTOR REPORTS

**CACHUMA
CONSERVATION
RELEASE BOARD/
CACHUMA
OPERATION &
MAINTENANCE
BOARD MEETINGS**

Director Lieberknecht gave an oral report of the Cachuma Conservation Release Board and Cachuma Operation & Maintenance Board meetings held on October 25, 2010.

**CENTRAL COAST
WATER AUTHORITY
MEETING**

President Lemere gave an oral presentation of the Central Coast Water Authority meeting held on October 28, 2010. The next regular meeting will be held January 27, 2011.

OLD BUSINESS

There was no Old business.

NEW BUSINESS

**AWARD OF
CONTRACT FOR
CONSTRUCTION
RELATED SERVICES**

Following a presentation by District Engineer Bob McDonald, and discussion, Director Drain moved and Director Van Wingerden seconded the motion to award contract for construction related engineering services to Flowers & Associates, engineer of record for Central Zone Pipeline

**TO FLOWERS &
ASSOCIATES, FOR
THE CENTRAL ZONE
PIPELINE
IMPROVEMENT
PROJECT**

Improvement Project, for a not to exceed amount of \$70,000.

**REJECTION OF
CLAIM SUBMITTED
BY DESDEMONA
AND LARRY
BREGANTE**

Following discussion, Director Roberts moved and Director Lieberknecht seconded the motion to reject the claim submitted by Desdemona and Larry Bregante of 4930 Nipomo Drive. The motion carried by a 5-0 vote.

**NOVEMBER 2, 2010
ELECTION RESULTS**

Mr. Hamilton reported that the November 2, 2010 election resulted in the election of Alonzo Orozco and Lynne Ducharme to replace Directors Drain and Lemere. Pending official certification of the election results from the County Elections Office, the newly elected Directors will take office at noon Friday, December 3, 2010.

**CLOSED SESSION:
CONFERENCE WITH
LEGAL COUNSEL-
ANTICIPATED
LITIGATION**

At 4:42 p.m. President Lemere convened the Board in closed session: Conference with Legal Counsel - Anticipated Litigation - Initiation of Litigation Pursuant to Subdivision (c) of Government Code Section 54956.9 (one case).

At 5:44 p.m. President Lemere re-convened the Board in open session. President Lemere reported that during closed session Director Drain moved and Director Lemere seconded the motion, contingent upon Montecito Water District's co-equal participation, to retain the legal services of Schimmel & Parks on a 25% contingency basis (as set forth as the second tier of representation on page two of the October 29, 2010 letter to the Districts from Schimmel & Parks) for the purposes of consultation regarding the possible initiation of an action arising out of previous litigation; to appoint Directors Lemere and Drain to serve as the Board Committee assisted by General Manager Hamilton and counsel Roger Myers as needed to pursue this matter together with Montecito Water District's appointed Board Committee, General Manager and counsel; and further, to disclose to any person upon inquiry the defendants and other particulars once an action is formally commenced. President Lemere further reported that the motion carried by a 4-1 vote, with Director Van Wingerden voting no.

NEXT MEETING

The next scheduled regular Board meeting will be held on November 10, 2010, at 5:30 p.m. in the Carpinteria City Council Chamber, 5775 Carpinteria Ave., Carpinteria, California.

ADJOURNMENT

President Lemere declared the meeting adjourned at 5:45 p.m.



Charles B. Hamilton, General Manager/Secretary